

Amendment Under 37 C.F.R. § 1.116
Expedited Procedure - Art Unit 1646

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

WEI *et al.*

Appl. No. 09/826,212

Filed: April 5, 2001

For: **Tumor Necrosis Factor Receptor 5**

Confirmation No.: 3523

Art Unit: 1646

Examiner: O'Hara, Eileen

Atty. Docket:

1488.1280006/EKS/GLL/SJE

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Amendment And Reply Under 37 C.F.R. § 1.116

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

In reply to the Office Action dated **March 11, 2003**, (PTO Prosecution File Wrapper Paper No. 12) and the Advisory Action dated **April 9, 2003** (PTO Prosecution File Wrapper Paper No. 15), Applicants submit the following Amendment and Remarks. This Amendment is provided in the following format:

- (A) A clean version of each replacement paragraph/section/claim along with clear instructions for entry;
- (B) Starting on a separate page, appropriate remarks and arguments. 37 C.F.R. § 1.121 and MPEP 714; and
- (C) Starting on a separate page, a marked-up version entitled: "Version with markings to show changes made."

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 19-0036.

Amendments

In the Claims:

Please substitute the following claims 118, 119, 152, 161, 169, 176, 184, 194, 198, 200, 202, 203 and 210 for pending claims 118, 119, 152, 161, 169, 176, 184, 194, 198, 200, 202, 203 and 210:

118. (Once amended) The polypeptide of claim 117, wherein said polypeptide further comprises amino acids -25 to 233 of SEQ ID NO:2.

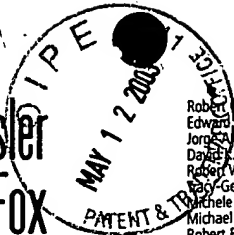
D1

119. (Once amended) The polypeptide of claim 118, wherein said polypeptide further comprises amino acids -26 to 233 of SEQ ID NO:2.

D2

152. (Once amended) The isolated polypeptide of claim 151, comprising the amino acid sequence of the complete TNFR5 encoded by the cDNA clone contained in ATCC Deposit No. 97788.

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May 12, 2003

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Art Unit 1646

Commissioner for Patents
PO Box 1450
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Re: U.S. Utility Patent Application
Appl. No. 09/826,212; Filed: April 5, 2001
For: **Tumor Necrosis Factor Receptor 5**
Inventors: Wei *et al.*
Our Ref: 1488.1280006/EKS/GLL/SJE

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Sir:

In response to the Office Action dated March 11, 2003 and the Advisory Action dated April 9, 2003, transmitted herewith for appropriate action are the following documents:

1. Amendment and Reply Under 37 C.F.R. § 1.116; and
2. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Gaby L. Longworth

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EKS/GLL/SJE:krh

Enclosures

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